

REMARKS

Election of Species

In this Notice, the Examiner states that Applicants' response filed on June 23, 2006, is considered non-compliant as failing to elect a single species as set forth in the Office Action dated May 23, 2006. In response, Applicants elect perylene deoxyriboside in alpha isomer to initiate the examination.

It is believed that the present election of species is made merely for the purpose of giving the Examiner a starting point for examination and that any amendments to cancel the non-elected species are not necessary at this stage of the prosecution in accordance with MPEP 809.02(a), since no final decision has been made on the allowability of the generic claim(s). If the above elected species is found allowable, examination of other species should proceed.

The claims that are readable upon the presently elected species are claims 1-3, 6-12, 15, 17, 22-28, 30, 31, 41 and 43-49, among which claims 1-3, 6-8, 10-12, 22-27, 30, 41, 43, 44 and 46-48 are generic.

This document is filed timely and no fee is believed to be due. However, should any fees be required for any reason in connection with this document, the Commissioner is authorized to deduct said fees from Howrey LLC Deposit Account No. 08-3038/12665.0025.NPUS01.

Respectfully submitted,



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